

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
)
IN THE MATTER OF:)
)
COMPLAINT C2012-039)
)
Paul Curry,)
Complainant;)
)
vs.)
)
Windy M.Price,)
Respondent.)
_____)

BEFORE THE STATE ETHICS COMMISSION

DECISION AND ORDER

STATE ETHICS
COMMISSION

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RECEIVED

Pursuant to Section 8-13-320(10)(i), Code of Laws for South Carolina, 1976, as amended, the State Ethics Commission reviewed the above captioned complaint on January 18, 2012 charging the Respondent, Windy M. Price, with a violation of Sections 8-13-1308(D)(1) and 8-13-1308(F), Code of Laws for South Carolina, 1976, as amended.

Present at the meeting were Commission Members Phillip Florence, Jr., Chairman, E. Kay Biermann-Brohl, Vice-Chair, JB Holeman, Priscilla L. Tanner, George Carlton Manly, Richard H. Fitzgerald and Jonathan H. Burnett. Also present were the Commission's Executive Director, Herbert R. Hayden, Jr., and his immediate staff.

ALLEGATIONS

The following allegations were considered:

On November 2, 2011 the State Ethics Commission received a complaint filed by Paul Curry of North Myrtle Beach, SC against Windy M. Price, Mayoral Candidate, Town of Atlantic Beach, SC. The complaint alleged that the Respondent had campaign expenses that were not reported in a pre-election Campaign Disclosure Report (CDR) that was due to be filed at least 15

days before the November 1, 2011 Atlantic Beach election.

FINDINGS OF FACT

Having carefully reviewed the evidence presented, the Commission finds as fact:

1. The Respondent was a candidate for Mayor of Atlantic Beach, SC in an election on November 1, 2011.
2. The Respondent filed a pre-election campaign disclosure report on October 19, 2011.
3. The Respondent disclosed an expenditure on September 30, 2011 to the Sign Station for campaign signs in the amount of \$710.93.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Commission concludes, as a matter of law:

1. At all times relevant the Respondent was a candidate for public office as defined by Section 8-13-1300(4).
2. The State Ethics Commission has personal and subject matter jurisdiction.
3. Section 8-13-1308(D)(1) provides that all candidates for public office must file a campaign disclosure report no later than fifteen (15) days before an election in which they are a candidate.
4. Section 8-13-1308(F) provides that all campaign disclosure reports must contain a list of all expenditures to include the name and address of the person to whom an expenditure is made, the date of the expenditure and the amount and purpose of the expenditure.

DECISION

THEREFORE, based upon evidence presented, the State Ethics Commission has

determined that there is not probable cause to indicate that the Respondent, Windy M. Price, violated Sections 8-13-1308(D)(1) or 8-13-1308(F), S.C. Code Ann., 1976, as amended. The Commission has therefore dismissed the charges in accordance with Section 8-13-320(10)(i), Code of Laws for South Carolina, 1976, as amended, and the rules and regulations promulgated thereunder.

IT IS SO ORDERED THIS 14th DAY OF February, 2012.

STATE ETHICS COMMISSION



PHILLIP FLORENCE, JR.
CHAIRMAN

COLUMBIA, SOUTH CAROLINA